

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4354 of 2019

Ramesh Choudhary S/o Sarjunal Choudhary Aged About 45 Years
R/o Shivaji Nagar, Amkho, Gwalior, P.S. Kampu, District Gwalior
Madhya Pradesh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Dhamtari, District Dhamtari Chhattisgarh.

---- Respondent

For applicant - Shri Shikhar Bhaktiyar, Advocate.
For Respondent/State – Shri Rahul Jha, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/07/2019

1. This is fourth bail application under Section 439 of Cr.P.C. The first bail application was dismissed on 25/01/2016 vide M.Cr.C. No.6609 of 2015. The second bail application was dismissed on 29/03/2017 vide M.Cr.C. No.1286 of 2017 and fourth bail application was rejected on 12/04/2018 vide M.Cr.C. No.1640 of 2018.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.290/2015 registered in Police Station Dhamtari, District Dhamtari (C.G.) for offence punishable under sections 420, 409, 120B of IPC.
3. As per the prosecution case, in the year 2010 the applicant in the capacity of director of Devyani Properties Limited invited different investors to invest money in the company and thereafter with the assurance that the money will be doubled within a short period of time and in that process the company has collected huge amount of Rs.26 crores and issued bonds to as many as 1000 investors. Thereafter, he was not able to return the money to the investors, thereby he committed fraud.
4. Learned counsel for the applicant submits that at the time of

rejection of the last bail application on 12/04/2018 direction was given to the court to expedite the trial. He submits that the applicant is in jail since 10/10/2015 and in other cases on the different dates. He further submits that in other cases the applicant has been enlarged on bail by this court, therefore the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Considering the fact that the applicant is in jail since 10/10/2015 i.e. for more than three years he is lodged in jail, delay cannot be attributed to the applicant, considering the pre-trial detention, this court is inclined to release the applicant on bail.

7. Accordingly, the fourth bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE